

REMARKS

5 The Examiner rejected independent claims 1 and 13 as anticipated by the Tamura patent (U.S. 5,959,670). The Examiner also rejected independent claim 7 as unpatentable over Tamura in view of Suzuki. We submit, however, that Tamura does not describe or suggest image size detection circuitry, much less image size detection circuitry for determining an actual image area within a total image area of the image sensor, and generating a control signal, based on the actual image area, for controlling the electronic shutter, as recited in independent claims 1, 7, and 13. It appears from Paragraph 1 of the Office Action (entitled "Response to Arguments") that the Examiner acknowledges that given the definition of the word "determining" as : "to find out or come to a decision about by investigation, reasoning, or calculation," applicants' claimed invention is different than the apparatus described by Tamura. However, using a different definition, "to bring about as a result," the claims can be interpreted to read on the Tamura patent. We submit that as the Examiner surmised, applicants intended interpretation of the word "determining" was consistent with the first definition and that applicants do not intend "determining" to cover the latter definition. On that basis, we submit that independent claims 1, 7, and 13 are patentable over the Tamura patent alone or in view of the Suzuki patent.

If the Examiner would prefer or can suggest a word or phrase in lieu of "determining," he is invited to call the applicants' representative at the number below to discuss the suggested change.

20 The Examiner also rejected dependent claims 2-6, 8-12, and 14-17 as being unpatentable over Tamura alone or in view of one or more of Kyuma and/or Suzuki. We submit that these claims are patentable for at least the same reasons that independent claims 1, 7 and 13 are patentable.